

Motion moot as bankruptcy case has been dismissed.



SO ORDERED.

SIGNED this 22nd day of March, 2018.

**H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

In re:

EPTMS, INC.,

Debtor.

**Case No. 17-31729-hcm
Chapter 11**

**ORDER GRANTING MOTION OF BMO HARRIS BANK N.A. FOR RELIEF FROM
THE AUTOMATIC STAY OR, IN THE ALTERNATIVE,
FOR ADEQUATE PROTECTION**

Upon consideration of the Motion of BMO Harris Bank N.A. for Relief from the Automatic Stay or, in the Alternative, for Adequate Protection (the "Motion") [Doc. No. 95] filed by BMO Harris Bank N.A. (the "Bank"), this Court finds that it has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157, 1334; that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); this Court finds and determines that the Motion is to be granted for the following reasons: (i) the Bank has a valid, enforceable, and first priority security interest in the Collateral (as defined below); and (ii) the Debtor is no longer making post-petition payments to the Bank in connection with the Collateral. Accordingly, it is hereby ORDERED that:

1. The Motion is GRANTED as set forth herein.

2. The Bank has a valid, enforceable, and first priority security interest in the Collateral.

3. The automatic stay is hereby lifted as to the Bank's collateral:

Agreement	Year	Make	Model	Desc.	VIN
First	2016	Isuzu	N-Series	Truck	JALB4W170G7F00898
	2016	Morgan	16' Van Body	Trailer	MTX49900001
Second	2016	Isuzu	N-Series	Truck	JALB4W17G7F00894
	2016	Morgan	16' Van Body	Trailer	MTX49899001
Third	2016	Isuzu	N-Series	Truck	JALB4W174G7F00869
	2016	Morgan	16' Van Body	Trailer	MTX49893001
Fourth	2016	Isuzu	N-Series	Truck	JALB4W178G7F00891
	2016	Morgan	16' Van Body	Trailer	MTX16VB49895001
Fifth	2016	Isuzu	N-Series	Truck	JALB4W174G7F00886
	2016	Morgan	16' Van Body	Trailer	MTX49896001
Sixth	2016	Isuzu	N-Series	Truck	JALB4W178G7F00907
	2016	Morgan	16' Van Body	Trailer	MTX49901001

(the "Collateral").

4. The Bank may exercise all of its state law and contractual rights and remedies with regard to the Collateral, including, without limitation, obtaining possession of the Collateral, liquidating the Collateral, and applying the proceeds of the liquidation of the Collateral to the Bank's claim.

5. The Debtor shall cooperate with the Bank in allowing the Bank to take possession of the Collateral.

6. The Bank retains all of its rights to assert a deficiency claim against the Debtor.

7. The Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

8. This Order shall be enforceable immediately, notwithstanding the provisions of Rules 4001(a)(3) and 6004(h) of the Federal Rules of Bankruptcy Procedure.

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ORDER PREPARED AND SUBMITTED BY:

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